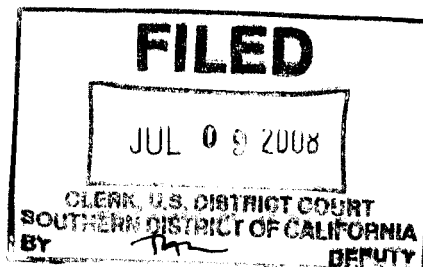


USA



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Raquel HERNANDEZ De Avila,

Defendant.

Magistrate Case No.:

'08 MJ 86 19

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

On July 8, 2008, within the Southern District of California, defendant Raquel HERNANDEZ De Avila did knowingly and intentionally import approximately 48.26 kilograms (106.17 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Cole Dotson, Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9th,
DAY OF JULY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Raquel HERNANDEZ De Avila

4
5 STATEMENT OF FACTS

6 This statement of facts is based on personal observation, investigation, and
7 information provided to US Immigration and Customs Enforcement Special Agent Cole
8 Dotson.

9 On July 8, 2008, at approximately 1845 hours, Raquel HERNANDEZ De Avila
10 entered the United States at the Calexico, California, East Port of Entry. HERNANDEZ
11 was the driver and the registered owner of a 1995 Honda Accord, bearing Baja Mexico
12 license plate BER7354.

13 The primary inspector, Customs and Border Protection Officer (CBPO)
14 Arredondo referred the vehicle to the secondary lot for closer examination.

15 In the vehicle secondary lot, CBPO Barroso, utilizing a canine, conducted an
16 inspection of the vehicle. The canine responded to the rear, quarter panels of the
17 vehicle.

18 A subsequent inspection of the vehicle by CBPO Cuellar revealed 34 packages
19 concealed within the both doors and the rear quarter panels. CBPO Cuellar probed one
20 of the packages and a sample of a green leafy substance was obtained. The sample
21 field-tested positive for marijuana. The 34 packages had a combined net weight of
22 approximately 48.26 kilograms (106.17 pounds).

23 HERNANDEZ was placed under arrest and was advised her Rights, per Miranda.
24 HERNANDEZ acknowledged, waived her rights, and agreed to answer questions.
25 HERNANDEZ stated she knew the vehicle contained drugs, but not the type or quantity.
26
27
28
29